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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/658,783	09/08/2003	Luanne Marie Krause	WELL0032	7573
22862	7590	01/24/2008		
GLENN PATENT GROUP 3475 EDISON WAY, SUITE L MENLO PARK, CA 94025			EXAMINER STERRETT, JONATHAN G	
			ART UNIT 3623	PAPER NUMBER
			MAIL DATE 01/24/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/658,783

**Applicant(s)**

KRAUSE ET AL.

**Examiner**

JONATHAN G. STERRETT

**Art Unit**

3623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/CDC)
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date 9-8-03

### DETAILED ACTION

1. This Non-Final Office Action is responsive to 8 September 2003. Currently **Claims 1-30** are pending.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 USC. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1-30** are rejected under 35 USC. 103(a) as being unpatentable over US 6,931,365 by Mehta (hereinafter **Mehta**)

Regarding **Claim 13**, Mehta teaches:

A process for performing impact analysis, said process comprising the steps of:

**providing a data warehouse for storing current environment information;**

column 3 line 65-column 4 line 2, data warehouse is for storing information for the simulation (i.e. environment information).

**providing model defined rules and triggers used for processing data from said data warehouse;**

column 4 line 2-6, rules of engagement and trading rules (i.e. rules and triggers) for processing simulation information from the data warehouse.

**providing a display means for a user to set and reset criteria coupled to said model defined rules and triggers;**

column 6 line 5-10; Figure 7 #400, the system provides a way for users to dynamically interface with the simulation (i.e. to set and reset criteria) to change how the simulation operates. See also column 5 line 55-60.

**providing an interactive transformation engine for performing impact analysis using any or all of said data from said data warehouse, said model defined rules and triggers, and said user defined criteria; and**

column 5 20-25, the economic servers provide a transformation engine for taking the different input to determine an output based on the data from the warehouse (the environment), the user input (i.e. the model defined rules and triggers) and the user defined criteria (i.e. decision inputs for their particular actor in the model-space - see column 6 line 40-45).

**providing output from said performed impact analysis on said interactive transformation engine.**

Column 5 line 9-10, the computer servers provide output on what happened during the simulation (i.e. the impact analysis of the various decision inputs).

Mehta teaches a means for users to input information into the model, but Mehta does not teach where the display interface is a GUI interface for selecting information to input into the model and where the output is displayed on a GUI interface.

However Official Notice is taken that using a GUI interface for inputting and output information is old and well known in the art. A GUI interface provides an easy to use information for providing a user the means to input and receive outputted information.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Mehta regarding providing a computer-based simulation process to include the step of providing a GUI to input and receive outputted information, because it would provide an easy to use way to interface with the computer-based system.

Regarding **Claim 14**, Mehta teaches:

**wherein said current environment information comprises transaction information.**

Column 6 line 65-67, transactions are part of the environment that is simulated.

Regarding **Claim 15**, Mehta teaches:

**The process of Claim 13, further comprising the step of providing at least one system of record for having stored information on existing transactions and related infrastructure, said at least one system of record providing said stored information to said data warehouse.**

Column 5 line 60-65, the data that characterizes the simulation is stored in the scenario database (i.e. the data warehouse - see also Figure 2).

Regarding **Claim 16**, Mehta teaches:

**The process of Claim 13, wherein said model defined rules and triggers comprise three fundamental dominant groups: categorization of groups of data; external evaluation parameters; and an iteration matrix.**

Figure 2 #150 (scenarios, i.e. categorization of groups of data); Figure 3, custom scenarios (i.e. external evaluation parameters) and column 8 line 55-60 – game play, i.e. the number of rounds – is an iteration matrix specifying how many rounds, i.e. iterations are played.

Regarding **Claim 17**, Mehta teaches:

**The process of Claim 16, wherein said external evaluation parameters are applied to said categorization of groups.**

As per Figure 2 and Figure 3, the custom scenarios are applied to specify which scenarios are run.

Regarding **Claim 18**, Mehta teaches:

**The process of Claim 16, wherein said iteration matrix has trigger set up capability by indicating types of behavior with which said trigger interacts and how said trigger interact with other triggers.**

Figure 6 and column 8 line 1-5, the simulation specifies how agents are triggered to interact with other agents (i.e. the rules specify when various agents come into play to interact with other agents, either computer programmed or human – see also Column 7 line 10-20).

Regarding **Claim 19**, Mehta teaches:

**The process of Claim 13, further comprising the step of performing impact analysis iteratively based on any of: results of a first cycle of said impact analysis; added new triggers; and reorganization of existing triggers.**

Column 8 line 65-67; Column 9 line 5-10, the impact analysis (i.e. the impact running the simulation with various human and computer agents (see also Figure 5) is run through a series of game rounds (i.e. a first cycle).

Regarding **Claim 20**, Mehta teaches:

**The process of Claim 13, further comprising the step of providing a knowledge management subsystem, whereby knowledge is gained with each trigger incorporated into said model defined rules and triggers.**

Column 9 line 10-15, the lessons learned are formalized (i.e. stated in a formal way as an expressed learning).

Mehta does not teach incorporating these lessons learned into a knowledge management subsystem per se (e.g. in a database). However, Official Notice is taken that it is old and well known in the art to incorporate learnings into a knowledge management system so that they can be recalled and used later. This provides a way to ensure information learned can be easily recalled and used.

It would have been obvious to one of ordinary skill in the art at the time of the invention to further modify the teachings of Mehta to include provide a knowledge management system to incorporate learnings from a simulation back into the model, because it would provide an easy to use way to incorporate lessons learned back into the rules and triggers of the model.

**Claims 21-25** recite limitations addressed by the rejection of **Claims 13-20** above and are therefore rejected under the same rationale.



Further regarding **Claims 21-25**, Mehta teaches a computer apparatus (column 3 line 19-24) that operates with modules (column 50-55, the software agents are modeled as objects, i.e. modules).

**Claims 1-12** recite limitations addressed by the rejection of **Claims 13-20** above and are therefore rejected under the same rationale

Further regarding **Claim 1**, Mehta teaches a tool (column 1 line 35-40, a live case is a tool); that is web-enabled, as per Claim 2 (column 5 line 10-15, the software constructs, e.g. including XML, means that Mehta's distributed computing approach is web-enabled, i.e. network enabled).

Further regarding **Claim 3**, Mehta teaches where the new triggers are added (column 7 line 55-65) however, Mehta does not teach simulation administration where triggers are first reviewed and approved by an administrator before being added.

However, Official Notice is taken that having a game administrator to review and approve rule changes in a game is old and well known. This would provide a predictable result by ensuring that changes in game rules are reviewed such as not to give a participant an unfair advantage.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Mehta to include where an administrator reviews and approves new triggers for a simulation, because it would provide a predictable result in the operation of the simulation.

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 20040002891 A1 by Chen teaches a method for internet enabled modeling of economics environments

US 7103562 by Kosiba teaches a simulation system for providing sensitivity analysis to modeling of a business environment.

US 20040230472 by Venkat teaches a system for forecasting revenue using input factors.

US 20040073467 by Heyns teaches a system for value optimization for a business using input factors and sensitivity analysis.

US 20020169658 by Adler teaches a system for optimizing strategic approach for a company through scenario simulation.

"Improving parametric mortgage prepayment models with non-parametric kernel regression"; Michael LaCour-Little, Michael Marschoun, Clark L Maxam. The Journal of Real Estate Research. Sacramento: Nov/Dec 2002. Vol. 24, Iss. 3; pg. 299, 29 pgs

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan G. Sterrett whose telephone number is 571-272-6881. The examiner can normally be reached on 8-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on 571-272-6729. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

6. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JGS 1-20-08  
/Jonathan G. Sterrett/

Primary Examiner, Art Unit 3623